

January 17, 2014

CTEP Supervisor, CTEP Section
Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001

Subject: **Categorical Exclusion Group (c) Action Letter**

Reference: Federal-aid Project Number: STPE 5899(47)
Federal-aid Project Name: 11th Ave Walks - Helena
MDT Uniform Project Number: 8137

This is a request for the Montana Department of Transportation concurrence that the proposed project study will not involve unusual circumstances as described in 23 *CFR* 771.117(b). It therefore qualifies as a Categorical Exclusion under the provisions of 23 *CFR* 771.117(c), part 3. The proposed action also qualifies as a Categorical Exclusion under the provisions of ARM 18.2.261 (*MCA* Sections 75-1-103 and 75-1-201).

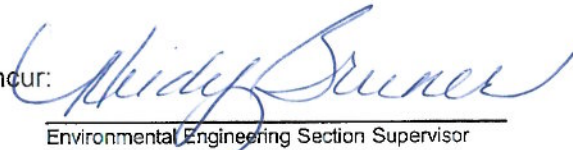
In accordance with FHWA's letter (3/29/99) to MDT's Environmental Services, please notify FHWA that the proposed action is being processed in accordance with 23 *CFR* 771.117(c).



Signature of Environmental Certifying Official or Chief Elected Official

Laura Erikson, Grants Coordinator
Type Name and Title

Concur:



Environmental Engineering Section Supervisor

3/14/14

Date

cc: Dave Hand, MDT, District Administrator – Great Falls
Ryan Dahlke, MDT, Consultant Design Engineer
Tom Martin, MDT, Bureau Chief – Environmental Services Bureau
Lisa Hurley, MDT, Fiscal Planning Administrator
Mike Wherley, MDT, CTEP Section Supervisor
Legislature, EQC
Alan Woodmansey, FHWA – Helena
Heidi Bruner, MDT, Environmental Engineering Section Supervisor
Eric Thunstrom, MDT, Environmental Engineering Section
Laura Erikson, Lewis & Clark County, Local CTEP Administrator
Kyle Thomas, Lewis & Clark County, Assistant Public Works Director
DOUG LIEB, MDT MISC COORDINATOR

1. Activities which do not involve or lead directly to construction, such as planning and technical studies; grants for training and research programs; research activities as defined in 23 USC 307; approval of a unified work program and any findings required in the planning process pursuant to 23 USC 134; approval of statewide programs under 23 CFR 630; approval of project concepts under 23 CFR 476; engineering to define the elements of a proposed action or alternatives so that social, economic and environmental effects can be assessed; and federal-aid system revisions which establish classes of highways on the federal-aid highway system.
2. Approval of utility installations along or across a transportation facility.
3. Construction of bicycle and pedestrian lanes, paths and facilities.
4. Activities included in the State's highway safety plan under 23 USC 402 (*section 402 funds are no longer available*).
5. Transfer of Federal lands pursuant to 23 USC 317 when the subsequent action is not an FHWA action.
6. The installation of noise barriers or alterations to existing publicly owned buildings to provide for noise reduction.
7. Landscaping.
8. Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur.
9. Emergency repairs under Title 23 USC 125.
10. Acquisition of scenic easements.
11. Determination of payback under 23 CFR 480 for property previously acquired with federal-aid participation.
12. Improvements to existing rest areas and truck weigh stations.
13. Ride share activities.
14. Bus and rail rehabilitation.
15. Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.
16. Program administration, technical assistance activities and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.
17. The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities which themselves are within a CE.
18. Track and rail bed maintenance and improvements when carried out within the existing right-of-way.
19. Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.
20. Promulgation of rules, regulations and directives.

ENVIRONMENTAL CHECKLIST

Project Name and Project Number: 11th Ave Walks - Helena: STPE 5899(47)

UPN: 8137

Area of Statutory-Regulatory Compliance (Provide precise citations for applicable statutes and regulations at the end of this Checklist.)		N/A	Review Required*	Permits Required*	Conditions and/or Mitigation Actions Required*	Note and Attach Documentation
1.	Historic Properties (SHPO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.	Floodplain Management (County)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.	Wetlands Protection (COE)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.	Noise (DEQ)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.	Air Quality (DEQ)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.	Manmade Hazards					
	Abandoned Underground Storage Tanks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Leaking Underground Storage Tanks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Possible Hazardous Waste Sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Airport Clear Zones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.	Water Quality (DEQ or EPA for reservation projects)					
	Surface Water/Water Quality	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Groundwater & Aquifers ¹	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.	Farmlands	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9.	Environmental Justice	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.	Threatened or Endangered Species, Fish & Wildlife (USF&WS)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Area of Statutory-Regulatory Compliance (Provide precise citations for applicable statutes and regulations at the end of this Checklist.)		N/A	Review Required*	Permits Required*	Conditions and/or Mitigation Actions Required*	Note and Attach Documentation
11.	Biological Resources - Habitat containing sensitive species; either nesting, foraging, or inhabiting (MDFW&P/MSL)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12.	Is there substantial, local, regional or other controversy on environmental grounds?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13.	Section 4(f) – Would project change use of park, recreation area, wildlife refuge, or waterfowl refuge (23 CFR 771.135)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.	Section 6(f) – Would project change use of protected properties acquired or developed with Land and Water Conservation Funds administered by the Department of Fish, Wildlife and Parks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15.	List other agencies contacted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*Attach evidence that required actions have been taken.						
¹ Including the Missoula Sole Source Aquifer; contact the CTEP Section for further information regarding Missoula area projects.						

Certification

I certify that the findings on the proceeding Environmental Checklist accurately reflect the status of compliance with applicable laws and regulations for the proposed transportation project.



Signature

Laura Erikson, Grants Coordinator

Type Name and Title of Environmental Certifying Official

February 28, 2014

Date

Project Name and Project Number: 11th Avenue Walks - Helena; STPE 5899(48)

Environmental Checklist - Note and Attached Documentation

Control Number: 8137

Number	Description	Note
1	Historic Properties	None within the adjacent area or that will be impacted by construction activities
2	Floodplain Management	The existing property is located within the City of Helena and is not located in a floodplain
3	Wetlands Protection	No wetlands are within the project area
4	Noise	Construction will take place during normal business hours. Short-term impacts to noise may occur at the proposed project site during the construction period.
5	Air Quality	Short-term impacts to air quality may occur during construction activities. Construction Contractors will be required to conform to MTDEQ standards for dust mitigation during construction.
6	Manmade Hazards	
	Abandoned Underground Storage Tanks	None aware of
	Leaking Underground Storage Tanks	None aware of
	Possible Hazardous Waste Sites	None aware of
	Airport Clear Zones	Not within or adjacent to an airport boundary
7	Water Quality	
	Surface Water/Water Quality	Temporary Short-term impacts to surface water are possible during construction activities. The Contractor will implement Best Management Practices (BMPs) as identified by the City of Helena Construction Activity Storm Water Permit
	Groundwater/Aquifers	No impacts to groundwater resources are anticipated
8	Farmlands	There are no adjacent farmlands
9	Environmental Justice	No impacts to minority or low-income populations are anticipated
10	Threatened or Endangered Species	The existing property is located within the City of Helena, no wildlife habitat is on the site.
11	Biological Resources - Habitat containing sensitive species	The existing property is located within the City of Helena, no wildlife habitat is on the site. No wildlife nesting has been observed.
12	N/A	
13	N/A	
14	N/A	
15	N/A	